

LCR 94(f)
DOMESTIC RELATIONS SETTLEMENT CONFERENCES

- (1) A settlement conference shall be held in all contested domestic relations cases, including dissolution, legal separation, paternity, 3rd party custody, domestic partnership, marriage-like relationships, or modification of any custody order. The settlement conference shall be held with a Court Commissioner or Judge.
- (2) Domestic relations cases shall not be set for trial under LCR 40(b) without a settlement conference, except in the following circumstances;
 - a. The requirement is waived, upon good cause shown, by a Judge or Court Commissioner; or
 - b. A settlement is not reached in an initial settlement conference because of a party's violation of one or more provisions of LCR 94(f). In such instances, a trial date may be set, but a second settlement conference will be scheduled to occur prior to the established trial date.
- (3) Once a response to the petition has been filed, a settlement conference is scheduled by noting the matter before the Court Administrator on the Friday 8:45 a.m. trial setting calendar.
- (4) The personal appearance of the parties and their attorneys is mandatory at the settlement conference. In cases where domestic violence is at issue, or where a party no longer resides within the State of Washington, appearance may be by phone. In all other instances, or unless otherwise agreed by the parties, appearing by phone is not considered a personal appearance. If the parties do not agree, the requesting party may seek an exception to this rule by filing a motion, prior to the scheduled settlement conference, to waive the appearance requirement. Such motions will be filed pursuant to the terms of LCR 94(a). The Court shall impose a sanction in the amount of \$250 against a party who violates this provision.
- (5) If parties agree to reset a settlement conference, they will inform the Court Administrator of that agreement as soon as possible, but in no case later than the business day prior to the scheduled conference.
- (6) Parties will prepare for and participate in good faith in scheduled settlement conferences. One week prior to the scheduled settlement conference, each party shall file a Settlement Statement in form substantially similar to the pattern form set forth in Exhibit A. The Settlement Statement is intended to provide the narrative and documentary information necessary to inform the court and the opposing party of the submitting party's position on the major issues to be resolved. The Settlement Statement will not be filed in the Court file, but the original will be provided to the judicial officer conducting the settlement conference, with a copy provided to the opposing party or his/her attorney.
- (7) If both parties fail to provide the Settlement Statement one week prior to the scheduled settlement conference, the Court shall issue an order which:
 - a. Strikes the settlement conference; and
 - b. Directs the parties to appear before the Court Administrator to select a new settlement conference date.
- (8) If only one party fails to file the Settlement Statement one week prior to the scheduled settlement conference, the Court shall issue an order which imposes a sanction on the offending party in the amount of \$500, to be reduced to \$250 if the Settlement Statement is filed before the scheduled settlement conference. If, at the beginning of the settlement conference, the party that complied with the original deadline requests a continuance of the settlement conference, the conference will be reset to a new date.
- (9) If the Court finds that a Settlement Statement is materially deficient, or that a party's lack of preparation prohibits a meaningful settlement conference, the Court may impose additional sanctions or other remedies as the Court deems appropriate.
- (10) If the provisions of LCR 94(f) have been followed and a case fails to settle at the settlement conference, the parties will immediately appear before the Court Administrator following the settlement conference to select a trial date. Unless otherwise agreed, the trial will not be scheduled to occur sooner than forty-five days, nor later than 120 days, following the unsuccessful settlement conference. Trials for the types of cases identified in LCR

94(f)(1) may be set to commence on either Monday or Tuesday.

[Adopted effective September 1, 2009; revised July 1, 2009.]
